

ESTTA Tracking number: **ESTTA736972**

Filing date: **03/31/2016**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

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| Proceeding. | 91223546 |
| Applicant | Defendant Apple Inc. |
| Other Party | Plaintiff Heathkit Company, Inc., Heath Company, Heathkit Vintage LLC |
| Have the parties held their discovery conference as required under Trademark Rules 2.120(a)(1) and (a)(2)? | Yes |

Motion for Suspension for Settlement With Consent

The parties are actively engaged in negotiations for the settlement of this matter. Apple Inc. requests that this proceeding be suspended for 30 days to allow the parties to continue their settlement efforts.

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| Time to Answer : | CLOSED |
| Deadline for Discovery Conference : | CLOSED |
| Discovery Opens : | CLOSED |
| Initial Disclosures Due : | CLOSED |
| Expert Disclosure Due : | 09/27/2016 |
| Discovery Closes : | 10/27/2016 |
| Plaintiff's Pretrial Disclosures : | 12/11/2016 |
| Plaintiff's 30-day Trial Period Ends : | 01/25/2017 |
| Defendant/Counterclaim Plaintiff's Pretrial Disclosures : | 02/09/2017 |
| 30-day Trial Period for Defendant and Plaintiff in the Counterclaim : | 03/26/2017 |
| Counterclaim Defendant's and Plaintiff Rebuttal Disclosures Due : | 04/10/2017 |
| 30-day Trial Period for Counterclaim Defendant and Plaintiff Rebuttal Testimony as Plaintiff ends : | 05/25/2017 |
| Counterclaim Plaintiff's Rebuttal Disclosures Due : | 06/09/2017 |
| 15-day Rebuttal Period for Counterclaim Plaintiff Ends : | 07/09/2017 |
| Plaintiff's Trial Brief Due : | 09/07/2017 |
| Defendant's Trial Brief and Plaintiff in the Counterclaim Due : | 10/07/2017 |
| Brief for Defendant in the Counterclaim and Reply Brief, if any, for Plaintiff Due : | 11/06/2017 |
| Reply Brief, if any, for Plaintiff in the Counterclaim Due : | 11/21/2017 |

Apple Inc. has secured the express consent of all other parties to this proceeding for the suspension and re-setting of dates requested herein.

Apple Inc. has provided an e-mail address herewith for itself and for the opposing party so that any order on this motion may be issued electronically by the Board.

Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Respectfully submitted,

/Daniel P. Hope/

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03/31/2016